PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

Third Session of the Third Legislative Council under the Government of India Act, 1919.

VOLUME XLV.

Monday, the 26th November 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Krishnan Nayar, The hon. Diwan Bahadur M.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Hamid Khan Sahib Bahadur.
Abdul Hye Sahib Bahadur, K.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
Adinarayana Chettiyar, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C. V.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bazl-ul-lah Sahib Bahadur, C.I.E., O.B.E., Khan Bahadur Muhammad.
Bhaktavatsalu Nayudu, Mr. P.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Chidambaranatha Mudaliyar, Mr. T. K.
Corley, Mr. F. E.
Cotton, C.I.E., I.C.S., Mr. C. W. E.
Davis, Mr. J. A.
Dorai Raja, Mr. S. N.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kenneth Kay, Mr.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Kalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Koti Reddi, Mr. K.
Krishnan, Mr. K.
Krishnaswami Nayakar, Mr. K. V.
Kumara Raja of Venkatagiri (Raju Velugoti Sarvagnya Kumara Krishnayachenda Bahadur Varu).
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppuswami, Mr. J.
Madhavan Nayar, Mr. K.
Mahmud Schamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthuranga Mudaliyar, Mr C. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayana Rao, Mr. Mothay.
Narayanaswami Pillai, Mr. T. M.
Obi Reddi, Mr. C.
Parasurama Rao Pantulu, Mr. A.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Raja of Panagal, K.C.I.E.
Rajan, Mr. P. T.
Ramachandra Padayachi, Mr. K.
Ramachandra Reddi, Mr. B.
Raman Menon, Mr. K. P.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Robertson, Mr. R. J. C.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.

PRESENT—*cont.*

Satyamurti, Mr. S.
Shetty, Mr. A. B.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Siva Rao, Mr. P.
Sivasubrahmanya Ayyar, Mr. K. S.
Slater, C.I.E., I.C.S., Mr. S. H.
Smith, Mr. W. E.
Soundarapandia Nadar, Mr. W. P. A.
Souter, I.C.S., Mr. C. A.
Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Sahib R.
Swami, Bar.-at-Law, Mr. K. V. R.
Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG. C.
Thomas, Mr. Daniel.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, K.
Venkatapati Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Mirzapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

NEW MEMBERS.

The following new Members were sworn in :—

1. Khan Bahadur MUHAMMAD BAZL-UL-LAH SAHIB Bahadur, C.I.E., O.B.E.
2. Mr. R. J. C. ROBERTSON.
3. Mr. H. F. P. HEARSON.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Irrigation

Prohibition of irrigation by open cuts in the upper reaches of the main channel under the Kurnool-Cuddapah canal.

*610 Q.—Mr G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state, with reference to the answers to question No. 1618 answered on 28th February 1928,—

(*a*) whether the report of the Revenue Board has been received on the question of prohibiting the system of irrigation by open cuts in the upper reaches of the main channel under the Cuddapah-Kurnool canal, what the report is and what action the Government have taken or propose to take on that report;

(*b*) whether it is a fact that M.R.Ry. Medam Venkayya Garu petitioned the Collector on 5th May 1926 after the jamabandi referred to in paragraph 3 of the answer to (*b*) and sent reminders on 24th May 1926, 7th June 1926, 5th July 1926, 17th September 1926, 27th October 1926, 17th February 1927, 30th May 1927, 6th June 1927 and 29th June 1927 and whether in any correspondence on the subject he was ever told that he and other ryots or he or other ryots had agreed to bear the whole or part of the cost;

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(c) what the 'accepted policy' is that is referred to in paragraph 2 of answer to (b), whether any previous published orders exist which enunciate that policy and whether 'a working policy in this particular case' arrived at by the Executive Engineer and the Collector in consultation is in consonance with that accepted policy;

(d) whether the Executive Engineer was called upon to submit a report on this question by the Collector and, if so, what that report is; and

(e) whether any other officer or officers of the Government was or were called upon to report on this question after the presentation of a petition by Mr. Venkayya; if so, what the report is?

A.—(a), (d) & (e) The following papers [a] are laid on the table. They explain what the problem is of which Mr. Venkayya's case is an example. There may be other reports on the subject which has long been under discussion but the Government do not propose to call for or publish them:—

- B.P. Rout. No. 5979, dated 13th October 1927.
- Official Memorandum No. 4730 B/27-1, Revenue, dated 9th December 1927.
- B.P. Rout. No. 3109, dated 10th May 1928, with enclosures.

The Government have approved of the action taken by the Board as reported in paragraph 3 of their Proceedings No. 3109, dated 10th May 1928, and await the further report therein promised.

(b) Copies of petitions submitted to the Collector on the dates mentioned (except 29th June 1927) have been submitted to the Government. The latter part of the question is not understood.

(c) The accepted policy referred to is that in each irrigation system Government controls the distribution of water up to a certain point only, thereafter leaving it to the ryots to regulate. Generally that point is the sluice in the channel under Government management. As the application of this policy must vary considerably according to local circumstances it is not formally enunciated in published orders but practically applied in the working of actual systems. In the case of the Kurnool-Cuddapah canal the principle finds recognition, for example, in rule VIII of the Kurnool-Cuddapah canal water-rate rules, which are published in Board's Standing Orders, Volume II. The idea of the Executive Engineer and the Collector appears to have been to work out an application of this principle suitable to the case before them.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Revenue Member, with reference to the answer to (c), whether the rule of the Board's Standing Order referred to is rule VIII or rule VII, which runs as follows:—Distributory channels which supply more than one village will be controlled by the canal officers and channels which supply only a single village will be managed by the ryots themselves under the supervision of the village officers. There is no rule VIII in Board's Standing Order No. 4. It is rule VII that applies here."

The hon. Sir NORMAN MARJORIBANKS:—"I accept the correction, Sir."

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[a] Printed as Appendix I on pages 111—115 infra.

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Mr. G. HARISARVOTTAMA RAO :—"May I know, with regard to this particular channel, whether the distributor taking off from this so-called water course was not repaired by Government ?"

The hon. Sir NORMAN MARJORIBANKS :—"It is a sluice that was repaired Sir."

Mr. G. HARISARVOTTAMA RAO :—"I am speaking of the distributary channel that takes off from this so-called water course. Was it or was it not repaired by the Government and a masonry work erected thereon to carry the water almost to the verge of the river Tungabhadra ?"

The hon. Sir NORMAN MARJORIBANKS :—"I must ask for notice, Sir."

Mr. G. HARISARVOTTAMA RAO :—"May I know, Sir, whether the vent-way under question was reduced in about 1921 and, as open cuts are indiscriminately made, whether the ryots at the tail end are not suffering badly ?"

The hon. Sir NORMAN MARJORIBANKS :—"I do not know."

Mr. G. HARISARVOTTAMA RAO :—"May I ask the hon. the Revenue Member whether at any time Mr. Venkayya was aware of any promise made by the ryots and whether at any jamabandi he was told that there was a promise by the ryots that they would construct this channel ?"

The hon. Sir NORMAN MARJORIBANKS :—"I could not say, Sir, what Mr. Venkayya's knowledge might be."

Legislative

Members of the Legislative Council appointed to posts under Government.

* 611 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Revenue be pleased to state—

(*a*) the names of the Members of this Council who have been appointed to posts under Government or have been nominated to honorary offices since the beginning of this Council ;

(*b*) the nature of the posts or the offices to which they have been appointed or nominated ; and

(*c*) the reasons why they were preferred to others ?

A.—(*a*), (*b*) & (*c*) A list [a] furnishing the information is laid on the table.

Mr. S. SATYAMURTI :—"Considering that 53 hon. Members of this Council have been rewarded by the Government in one way or other, may I know whether the Government in making these appointments have ever considered the possible effect on Members of this Council of such distribution of favours among them ?"

The hon. Sir NORMAN MARJORIBANKS :—"They are not favours, Sir ; they are duties."

(Mr. S. Satyamurti : Oh !)

Loans

Applications for loans for sinking wells from the Chingleput district.

*612 Q.—Mr. C. N. MUTHURANGA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that in the district of Chingleput applications for loans are not promptly attended to by the officers concerned ; and

[a] Printed as Appendix II on pages 116—118 infra.